

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)
DONALD C. HUTCHINS)
)
Plaintiff)
)
v.)
)
CARDIAC SCIENCE, INC., et. al.,)
)
)
Defendants)
)

Civil Action: 04-30126-MAP

IN CLERK'S OFFICE
2006 OCT 23 P 3:21
U.S. DISTRICT COURT
DISTRICT OF MASS.

**MOTION FOR LEAVE TO FILE INSTANTER CLARIFICATION AFFIDAVIT
ADDRESSING STATUS CONFERENCE SET FOR 11/1/2006**

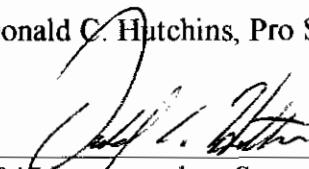
Pursuant to Local Rule 7.1(b)(3), Plaintiff, Donald C. Hutchins ("Hutchins")

hereby moves this Court for leave to file the affidavit of Donald C. Hutchins pursuant to status conference set for 11/1/2006. This affidavit is intended to allay confusion between the testimony of Hutchins as the Plaintiff and his statements as his *pro se* advocate.

Respectfully submitted

The Plaintiff
Donald C. Hutchins, Pro Se

Dated: October 23, 2006

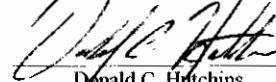


1047 Longmeadow Street
Longmeadow, Massachusetts 01106
(413) 567-0606

CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow Street, Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate parties by sending a copy by United States mail to: Randall T. Skaar, Esq. Patterson, Thuente, Skaar & Christensen, P.A., 4800 IDS Center, 80 South 8th St. Minneapolis, Minnesota 55402, Paul II. Rothschild, Esq. Bacon & Wilson, P.C., 33 State St., Springfield, MA 01103; John J. Egan Esq., Egan, Flanagan and Cohen, P.C., 67 Market St., Springfield, MA 01102-9035, Jeffrey J. Lauderdale Esq., Calfee, Halter & Griswold LLP, 1400 McDonald Investment Center, 800 Superior Avenue, Cleveland, OH 44114.

Dated: 10/23/06



Donald C. Hutchins